IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF MULTNOMAH

JOANN WILLIAMS-BRANCH, Personal Representative for the Estate of Jessie D. WILLIAMS, deceased, Plaintiff,	)	
v.	)	No. 9705-03957
PHILIP MORRIS, INC., PHILIP MORRIS COMPANIES, INC., and FRED MEYER, INC., Defendants.	)	

DEPOSITION OF MAYOLA WILLIAMS

Taken in behalf of the Defendants

April 6, 1998

Portland, Oregon

PACE REPORTING

by Pamella Iman, Court Reporter

1001 Molalla Avenue, Suite 204

Oregon City, Oregon 97045

(503) 655-4183

BE IT REMEMBERED that pursuant to the Oregon

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Civil Rules of Civil Procedure, the deposition of MAYOLA WILLIAMS was taken in behalf of the Defendants before Pamella M. Iman, a Court Reporter and Notary Public for the State of Oregon, on Monday, April 6, 1998, commencing at the hour of 9:23 a.m., at the law offices of SWANSON, THOMAS & COON, 621 Southwest Morrison, Suite 900, Portland, Oregon.

* * *

APPEARANCES

SWANSON, THOMAS & COON
RAYMOND F. THOMAS
Appearing in behalf of the Plaintiff

GAYLORD & EYERMAN
WILLIAM A. GAYLORD
Appearing in behalf of the Plaintiff

SHOOK, HARDY & BACON
BILLY R. RANDLES
JOHN FRASER
Appearing in behalf of the Defendant
Philip Morris, Inc.,
Philip Morris Companies, Inc.

LINDSAY, HART, NEIL & WEIGLER
JAMES DUMAS
JOHN D. KIMMERLEIN
Appearing in behalf of the Defendant
Fred Meyer, Inc.

Also Present: Joann Williams-Branch

* * *

EXAMINATION INDEX

WITNESS PAGE

MAYOLA WILLIAMS

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REQUESTS FOR PRODUCTION

(None.)

EXHIBIT INDEX

NO. DESCRIPTION PAGE

(None.)

MAYOLA WILLIAMS,

called as a witness in behalf of the Defendants, being first duly affirmed by the Court Reporter, was examined and testified as follows:

EXAMINATION

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BY MR. RANDLES:

Q. Mrs. Williams, we just met a few moments ago. My name is Billy Randles. I'm with the law firm of Shook, Hardy & Bacon. And I represent Philip Morris in the case of Joann Williams-Branch v. Philip Morris and Fred Meyer Company.

Have you ever had your deposition taken before?

A. No.

Q. Okay. Let's just run through a few basic things.

I'll be asking you a number of questions today. If for any reason you don't understand my question, please stop me and ask me to ask it again or rephrase it, and I'll be happy to do that.

If you need to take any breaks at all for whatever reason, just let me know, and we'll stop and we'll take a break. If you have trouble sitting and would like to get up, you don't need to ask anybody's permission to do that; whatever makes you comfortable.

Are you currently taking any medication?

A. Yes.

Q. Could you please tell me what medications you're taking.

A. Well, I'd rather not tell you.

It's not necessary, is it?

Q. Well --

MR. GAYLORD: May I take a moment with her?

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MR. RANDLES: Let's go off the record.

(A discussion was held off the record.)

(Recess.)

MR. GAYLORD: Go ahead and ask the question again.

MR. RANDLES: How about if you just read the question back for me.

(The reporter read back as requested.)

THE WITNESS: Answer?

Q. BY MR. RANDLES: Yes, ma'am.

A. I take high blood medication; Zolar. And I take -- I can't remember. I take Synthroid. That's a medication that I take for a thyroid disorder. And I also take pain medication for rheumatoid arthritis. And I take an anti-inflammatory medication for a muscle disorder.

Q. Do any of the medications you take in any way affect

your memory or your ability to answer my questions today?

A. No.

Q. What is your Social Security number?

A. [DELETED].

Q. Could you tell me where you were born?

A. Yes. Pine Bluff, Arkansas.

MR. RANDLES: Off the record.

(A discussion was held off the record.)

Q. BY MR. RANDLES: And what year were you born?

A. 1932.

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Q. And how long did you live in Arkansas?
A. About nine years.
Q. And where did you move after that?
A. [DELETED].
Q. And what were your parents' names?
A. Daniel and Viola Hill.
Q. And did you move to [DELETED] with them?
A. Yes.
Q. Where do you currently reside?
A. [DELETED]
Q. How long have you lived there?
A. About nine years.
Q. Does anyone live with you at that address?
A. Yes.

Q. Who?
A. Joann, my daughter.
Q. Does anyone else live with you there?
A. No.
Q. So you moved to [DELETED] with your family in approximately 1940; is that correct?
A. Yes.
Q. Have you lived in the [DELETED] area ever since then?
A. Yes.
Q. Since you moved -- since you moved to [DELETED] with your parents, could you please tell me the persons who have lived with you at your residence since that time.

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A. Could you repeat the question. That -- since I left my parents?
Q. Including with your parents when you moved here.
I'm sorry. That was a poorly worded question.
Again, when you moved to [DELETED] with your parents, could you tell me the persons that you lived with at that time and since.
A. My parents, my sisters and brothers.
Q. Who are your sisters an brothers?
A. Marvin Miller, Future Patterson, Betty Hill, Francis Hill, Eddie Hill, Thomas Hill.
Q. Are all of your brothers and sisters still living?

A. Yes.
Q. All right. Other than your parents and your brothers and your sisters, who else have you lived with?
A. My husband and my children.
Q. Anyone else?
A. No.
Q. Did you review any documents in preparing for your deposition today?
A. No.
Q. Who have you talked to about having your deposition taken today?
A. My attorneys informed me that I would do it.
Q. Have you talked to anyone else?
A. No.
Q. Have you talked to your daughter?

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A. Of course.
Q. Anyone besides your attorney and your daughter?
A. No.
Q. You have been married to only Mr. Williams in your life, correct?
A. Yes.
Q. When did you and Mr. Williams meet?
A. 1951.
Q. Where did you meet?

A. In my home.
Q. What was the occasion of him visiting your home?
A. He was with friends of mine.
Q. Who were those friends?
A. Maime McClinlin and Isaac Bryant.
Q. Are Ms. McClinlin and Mr. Bryant still living?
A. Not that I know of. I mean, if they are -- I don't know if they are or not.
Q. I see.
How did you know Ms. McClinlin and Mr. Bryant?
A. Ms. McClinlin was my best friend, and Mr. Bryant was a friend of hers.
Q. And how did they know Mr. Williams?
A. Mr. Bryant was in the service with Mr. Williams.
Q. And was it basically their idea that you meet Mr. Williams?
A. Yes.
MR. GAYLORD: Object to the form of the

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question.

Q. BY MR. RANDLES: You mentioned that Mr. Williams was in the service, then.

Where was he stationed?

A. Fort Lewis, Washington.

Q. Do you remember what time of year it was in 1951 when you met?

A. No, I can't remember.

Q. When were you married?

A. 1952, December 25th -- 4th.

Q. Were you married at a religious ceremony?

A. No.

Q. Was it in front of the justice of the peace?

A. Yes.

Q. Who attended your wedding?

A. My family.

Q. Your brothers and sisters?

A. A couple of them.

Q. And did your parents attend?

A. Yes.

Q. Who else attended?

A. A friend, Anita -- I can't remember her last name now.

Q. Do you know where -- do you know if this friend is still in the [DELETED] area?

A. No, I don't.

Q. Did you have a maid of honor at the wedding?

A. No.

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Q. Okay. Was there a best man at the wedding?
A. No.
Q. Do you practice a formal religion?
A. Yes.

Q. Was is your religion?
A. Jehovah's Witness.
Q. How long have you belonged to the Jehovah's Witness church?
A. Since 1962.
Q. Were your parents members of that church?
A. No.
Q. Were or are any of your brothers and sisters members of that church?
A. Yes.
Q. Which ones?
A. Future Patterson, Marvin Miller, Eddie Hill.
Q. Are any of your children members of that church?
A. Yes.
Q. Which ones?
A. Joann, Glenn, Freda, and Jesse. And the other two are, but they smoke, so that's why they are not attending the meetings.
Q. Could you explain to me what you mean by that.
They are members, but they smoke, so they are not attending?
A. Well, they smoke, and this religion requires that they shouldn't smoke.

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Q. That was my next question: Do you know why your religion teaches people why they shouldn't smoke?

A. Yes.
Q. Why is that?
A. One reason is the bible teaching they shouldn't smoke, and the other reason is because it's against their health.
Q. Has your church teaching been against smoking ever since you have been a member?
A. No.
Q. When did it start teaching that smoking was wrong?
A. Someplace -- somewhere in the '70s. They have always taught that it was wrong, but they were more strong about it in the '70s.
Q. So could people who smoked still be members of the church before the '70s? Was that allowed?
A. Yes.
Q. And did that change?
A. Yes.
Q. Ever since you have been a member of the church, did the church teach that smoking was bad for you?
A. Yes.
Q. Was your husband a member of the Jehovah's Witness church?
A. Yes.
Q. When did he become a member?
A. Same time I did.

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Q. 1962?
A. Yes.
Q. Whose idea was it, between the two of you, for you to join the church?
A. Both of ours.
Q. Mutual decision?
A. Yes.
Q. Did any particular person or group of people influence you to become members of the Jehovah's Witness church?
A. No.
Q. There wasn't a particular individual that talked you into going or explained the Jehovah's Witness religion to you?
A. Well, yeah, but not talked me into going. But they introduced the religion to me.
Q. Who would you say the people, persons, or person who are most influential in explaining the Jehovah's Witness religion to you were?
A. Joe and Dorothy Miller.
Q. Do you still keep in touch with Joe and Dorothy Miller?
A. No.
Q. Do they still live in the [DELETED] area?
A. No.

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Q. Do you know where they live?
A. Um, no.
Q. Is there a particular process that you and Mr. Williams went through to become church members?
A. No.
Q. What is required to become a member of the Jehovah's Witness church?
A. Study the bible and learn that the bible is truth. And then if you believe, you become baptized and become a Jehovah's Witness.
Q. Once you are baptized, is that the last formal step in your membership?
A. Yes.
Q. Are you required to go through any course of study before you become baptized?
A. Yes.
Q. What is that course of study?
A. Bible.
Q. Do you study anything but the bible?
A. No.
Q. Do you have any literature that helps you study the bible at your church?
A. We have bible literature.
Q. What kind of literature is that?
A. We use the Watchtower in our studies.

Q. Do you use any other publications?
A. We have a lot of other publications.

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Q. Could you please list those that you can remember for me.
A. We use the Awake magazine. We have books; the Knowledge book, the Live Forever book. And we have the Evolution book. We have a whole bunch of literature.
Q. Now, as a church member are you expected to study these materials?
A. Yes.
Q. How often does the Watchtower come out?
A. Every two weeks.
Q. And how often does the Awake magazine come out?
A. The same.
Q. Since you became a member in 1962, have you read the Watchtower and the Awake? Have you reviewed every issue since they've come out?
A. I try to.
Q. Is it your regular practice to basically read those publications cover to cover?
A. Yes.
Q. Was that Mr. Williams' regular practice?
A. Yes.
Q. And, again, beginning in 1962, was -- did there ever

come a point in time where he stopped reviewing these magazines cover to cover?
A. He always read the magazines, but he didn't always read them from cover to cover after awhile.

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Q. When do you think he stopped reviewing them cover to cover?
A. After he could no longer -- he couldn't stop smoking, so he, you know -- during the years he kind of stopped reading them from cover to cover, but he read them all the time.
Q. Did he read them up until his death?
A. Yes.
Q. Do these magazines, Watchtower and Awake, do they represent -- and I hope I'm using the right term here. And if I'm not, please correct me -- your official church teachings?
MR. GAYLORD: Object to the form of the question.
THE WITNESS: Ask the question again.
MR. RANDLES: Okay. I'll try to do better.
Q. BY MR. RANDLES: Do these magazines represent official teachings of your church?
MR. GAYLORD: Object to the form of the question.

THE WITNESS: One of them does. That is the Watchtower. And the Awake has other articles besides the teachings.
Q. BY MR. RANDLES: So articles contained in -- let me rephrase that.
So would articles contained in the Watchtower represent an official church doctrine?

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MR. GAYLORD: Object to the form of the question.

THE WITNESS: Yes.

Q. BY MR. RANDLES: How does the Awake differ from the Watchtower?

A. Well, the Awake covers the world news, things that are going on in the world, and the Watchtower is bible-based.

Q. Do you believe that both magazines are truthful and accurate in what they report?

A. Yes, I do.

Q. Did Mr. Williams believe that?

A. Yes, he did.

Q. Have either of these magazines reported information that you believe to be wrong?

A. Never.

Q. Would it be fair to say that if a matter was reported in either of these magazines, you would

regard that reporting as accurate and true?

A. Yes.

Q. Would the same be true for Mr. Williams?

A. Yes.

Q. Are either of these magazines studied at church services?

A. Yes, the Watchtower.

Q. And what I mean by that -- and I hope I was clear -- is the Watchtower discussed at church and the

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material in it discussed?
A. The material in it is discussed.
Q. How often a week do you attend service?
A. Three times.
Q. Are you expected to perform missionary work in your church?
A. No, I'm not.
Q. Are members of the church expected to spread the church's teachings to people who are not members?
A. Yes, we are.
Q. How do you go about doing that?
A. Talking to people; telling them about what the bible says; talking about Jesus. Just basically that.
Q. Did Mr. Williams do that as well?
A. Yes.
Q. Do you pass out any literature to people that you

talk to?
A. We -- yeah. If they accept it.
Q. What do you pass out to people?
A. We don't pass out anything.
Q. Well, offered something. I didn't mean that in the pejorative sense at all.
A. Okay.
Q. Let me rephrase that.
What materials might you give someone that would be interested in learning about your church?
A. Any one of the Watchtower or the Awake or both or one of the other publications.

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Q. And did Mr. Williams on occasion give those materials to people who were interested in learning more about the church?
A. He did for awhile.
Q. Did you and Mr. Williams discuss the articles in the Watchtower or the Awake magazines?
A. Yes.
Q. Did you do that on a fairly frequent basis?
A. Yes.
Q. Was there any particular type of article that you might be more likely to discuss with Mr. Williams?
A. Not in particular.
(Mr. Randles and Mr. Fraser conferring.)

Q. BY MR. RANDLES: Are persons who smoke allowed to be members of the church today?
A. No.
Q. When did that become the position of the church, that smokers could not be members?
A. I don't remember.
Q. Do you remember what decade it was, whether it was in the '70s or '80s or '90s?
A. I believe it was the '70s.
Q. Do you remember if it was the early '70s or the late '70s?
A. The early '70s.
Q. What exactly is the church's position -- let me rephrase that.

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When this change occurred, what did the church -- what was the church's position regarding the people who smoked that were already members?

A. Could you ask the question again?

Q. I'll try, and I'll try to do a better job.

When this change occurred in the 1970s, did the church require anything of its members that were already smokers?

A. Yeah.

Q. And what was that?

A. They gave them a length of time to stop smoking

because -- that's it.

Q. How long did they give them to stop smoking?

A. Oh, six months or so.

Q. Why did the church take the position at that time that its members had to quit smoking?

MR. GAYLORD: Object to the form of the question.

THE WITNESS: I don't know. It's against their health.

Q. BY MR. RANDLES: So the church taught that smoking was bad for their health, so they had to stop or they could no longer be members?

A. No.

Q. What did you mean when you said it was against their health?

A. Well, tobacco is against the health of people. And the church teaches you that anything that you take

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into your body that is not good for you is against your health.

Q. Do you recall how long the church gave people, what kind of time period, to quit smoking?

A. No. I just told you.

Q. Oh, I'm sorry. I'm sorry if I already asked that.

Did Mr. Williams attempt to quit smoking at that time?

A. At that time and before.

Q. At that particular time did he -- what did he do to attempt to quit smoking?

A. He had used -- every type of substance that they claim that helps you to stop smoking, he used it to try to stop smoking.

Q. Now, after the period of time the church provided for members to quit smoking had passed, what happened to Mr. Williams?

A. He couldn't stop smoking.

Q. And what did the church do regarding Mr. Williams inability to quit smoking?

A. He was disfellowshipped.

Q. Could you explain what that word means?

A. It means that he could no longer be a member in good standing with the church, with the organization.

Q. What were the consequences of that for Mr. Williams?

A. It was very bad for him, because he loved to be a participant.

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Q. Did it mean that he could no longer attend services?
A. That's what it meant.
Q. What else does it mean to be disfellowshipped in terms of a personal relationship with church members?
A. Well, your association with the members is limited,

even your own family members.
Q. Limited in what ways?
A. In matters of the church or of the religion.
Q. Okay. Could you explain to me how Mr. Williams' relationship with church members -- first of all, we'll start with those who were not in his family -- changed after he was disfellowshipped.
A. Well, he couldn't associate with members of the family at certain gatherings and family arrangements and things where all the family members were a member of the religion. So he could not be with them.
Like, for instance, if we celebrate our anniversary, well, he couldn't be there. If he was -- if he did, some of the members of the family couldn't be there.
Q. So are you saying that once he was disfellowshipped, the members of the family that were Jehovah's Witness were not supposed to socialize with him?
A. Right.
Q. Did that include you?
A. No.

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Q. Is there an exception for spouses in church teaching?
A. Yeah. We have to live together, so we have to

socialize together.
Q. Did his children stop socializing with him after he was disfellowshipped?
A. In religious matters, yes.
Q. When you say "in religious matters," how do you define that?
A. When there is any discussions to be talked about religiously, or going to the meetings together, praying together, just eating together. In fact, if we are going to have a meal together and if there is going to be a prayer, which we always do, he couldn't be there at the time. So he would just go in the other room.
Q. So he wasn't allowed in a room when a prayer was to take place before a meal; is that right?
A. Right.
Q. You mentioned your anniversary; that either he couldn't be there or church members couldn't be there.
Is a person's anniversary considered a religious celebration in the Jehovah's Witness church?
A. No, it's not.
Q. Why couldn't he be there?

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A. He could be there because it was our anniversary.

But some of his children, who are Jehovah's Witnesses, couldn't be there.

Q. And why couldn't they be there?

A. Because he was a disfellowshipped member.

Q. Which of your children would -- let me back up.

Would all of your children that are Jehovah's Witnesses comply with these rules in terms of disfellowshipping him?

A. Yes.

Q. So on a daily basis, who could Mr. Williams socialize with in the family once he was disfellowshipped?

A. Me.

Q. And that was pretty much it?

A. Socialize, yes.

Q. As a practical matter, once he was disfellowshipped, did he see his children significantly less often?

A. Yes.

Q. They just didn't come around him as much.

Is that fair to say?

A. Right.

Q. Who did he socialize with after the disfellowshipping besides you?

A. His -- I don't know.

Q. Do you know who his friends were that were not

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members of the church?
A. No.
Q. Once he was disfellowshipped, did he stay home very much or did he go out a lot?
A. He stayed home as always. His pattern -- his life pattern was the same.
Q. So he was basically, when he wasn't working, more of a stay-home kind of person; is that right?
A. He and I went out together a lot.
Q. Who would you say saw the most of Mr. Williams on sort of a day-in-and-day-out basis? Would that be you?
A. Yes.
Q. Who would be next?
A. His children. They saw him. They'd come over to the house to visit me, so they saw him.
Q. You said they'd come over to visit you?
A. They'd come over. Yes. They'd come to visit at the house.
Q. Would they visit with him when they came over?
A. They didn't visit with him. They were polite to him and spoke to him, and they exchanged conversations as limited as possible.
Q. After he was disfellowshipped, typically when one of your children would come over, other than courteous

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greetings, would Mr. Williams participate in the conversation or would he leave the room?

A. He would leave the room.

Q. Did Mr. Williams have a religious -- let me rephrase that.

Was Mr. Williams a member of any church or organized religion before he became a Jehovah's Witness in 1962?

A. No.

Q. Did you have any -- were you a member of any religious organization before --

A. No

Q. -- 1962?

A. No.

MR. GAYLORD: Take your time and make sure you let him finish the question before you start answering.

MR. RANDLES: That's as much my fault as it is yours.

Q. BY MR. RANDLES: Does your church teach that the people who really want to quit smoking can?

A. They don't teach that they can, but -- no, they don't.

Q. Is it your church's view that people who really want to quit smoking and are committed to it can?

MR. GAYLORD: Object to the form of the question.

THE WITNESS: Will you ask the question again?

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Q. BY MR. RANDLES: Sure.

Is it your church's view that people who are really committed to quitting smoking can do it?

A. Yes, they can, you know, if they try. If you can -- if it's -- they teach that.

Q. And isn't it correct that your church teaches that anyone who wants to badly enough can quit?

A. Yeah, they teach that.

Q. And, in fact, that is one of the reasons they felt they could require church members to quit, because it would be possible for a church member to quit if they were committed enough to doing so; correct?

MR. GAYLORD: Object to the form of the question.

THE WITNESS: Yes.

Q. BY MR. RANDLES: The church doesn't ask anyone to do the impossible, right?

MR. GAYLORD: Object to the form of the question.

THE WITNESS: I don't know what you are talking about.

Q. BY MR. RANDLES: Well, in other words, the church doesn't require someone to do something that would be impossible as a condition for membership, right?

MR. GAYLORD: Object to the form of the question.

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I'm going to instruct you not to answer that question because it's argumentative, like a closing argument in this case.

MR. RANDLES: I don't want my silence to indicate that I agree with you in any way.

We can just mark that question.

I'll rephrase.

MR. GAYLORD: All right.

Q. BY MR. RANDLES: The church would not require, as a condition of membership, for anyone to do something that would be beyond their power to do, right?

MR. GAYLORD: Object to the form of the question.

THE WITNESS: I don't know. I don't understand what you're getting at.

Q. BY MR. RANDLES: All right.

Which of your children -- who among your children smoke?

A. Two of them; Calvin and Darlene.

Q. Have they been disfellowshipped from the church?

A. Yes.

Q. Have you had conversations with them about their smoking?

A. Yes.

Q. What have you told them?

A. That they should stop if they can.

Q. How long have they been smokers?

A. I don't remember.

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Q. Well, how old are they?
A. Forty-one -- I mean, 42 and 36. Calvin is 36; Darlene is 42.
Q. Have they each smoked for several years?
A. I'm sure.
Q. Are either of your parents still alive?
A. No.
Q. What was your father's cause of death?
A. Pardon?
Q. What was your father's cause of death, smoking?
A. Smoke.
Q. Was your father a smoker?
A. Yes.
Q. What was your mother's cause of death?
A. Kidney failure.
Q. Was your mother a smoker?
A. No.

Q. Are you employed?
A. No.
Q. When was the last time you were employed?
A. '82.
Q. And who was your employer?
A. Portland School District.
Q. What was your job there?
A. Coordinator.
Q. Did you work in any particular office?
A. Yeah. At the main office, I worked there.

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Q. How long did you work for them?
A. Two years.
Q. Who did you work with before that?
A. The Portland Fish Company.
Q. And when did you work with them?
A. Last of '77.
Q. And when did you start with them?
A. That's when I stopped.
Q. When did you start with them?
A. About -- I worked there for ten years, so --
Q. So about '67, give or take?
A. Yeah.
Q. All right. Were you ever a smoker?
A. Never.
Q. Have you ever allowed smoking in your home?

A. In the beginning my husband smoked in the home.
Q. Did that change over time?
A. Yes.
Q. What changed about that?
A. After -- he smoked on the outside.
Q. When did that start?
A. About five years ago.
Q. About five years ago?
A. Um-hum.
Q. And whose idea was it for him to start smoking only outside?
A. His own. Plus he felt that the smoke was endangering my health.

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Q. Did you ask him to start smoking outside?
A. I asked him to stop smoking.
Q. And smoking outside was his own idea?
A. Yes.
Q. Who were Mr. Williams' parents?
A. J.B. and Mineola Williams.
Q. Where did they live?
A. [DELETED].
Q. Are they deceased?
A. Yes.
Q. Did they live in [DELETED], the whole time you knew them?

A. Yes.
Q. When did Mr. Williams die, J.B. Williams?
A. '73.
Q. And what did he die of?
A. I can't remember -- a heart attack.
Q. Was he a smoker?
A. Yes.
Q. Did anyone ever suggest that his heart attack might be related to his smoking?
A. I didn't hear about it.
Q. When did Mrs. Williams, your husband's mother, die?
A. '75.
Q. What did she die from?
A. I'm not sure. Some stomach ailment. Something was wrong with her stomach.

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Q. Was she a smoker?
A. I don't think so.
Q. Did she die of stomach cancer?
A. I'm not sure.
Q. Did Mr. Williams have any brothers and sisters?
A. Yes.
Q. How many?
A. He had three sisters and three brothers.
Q. Okay. Could you give me the names of his sisters first.

A. Angeline, Louise -- Angeline -- I don't know. I can't remember her last name. She got remarried, so I don't remember her last name.
Q. Do you know where she lives?
A. She passed.
Q. So she is deceased?
A. Yes.
Q. When did she die?
A. She died in '95 -- she died in '96; June of '96.
Q. And what did she die of?
A. Heart attack.
Q. Was she a smoker?
A. Yes, I think so.
Q. Okay. And what were the names of his other sisters?
A. Louise Hickman.
Q. Do you know where she lives?
A. Yes. She lives in California.
Q. Do you know in what town?

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A. No.
Q. And what is his third sister's name?
A. Wanda Faye.
Q. Do you know her last name?
A. I can't remember.
Q. Where does she live?
A. [DELETED].

Q. You said he had three brothers?
A. Yes.
Q. Who are they?
A. Freddie C. Williams; Henry Williams.
You got Henry Williams?
Q. Um-hum.
A. Samuel Williams.
Q. Samuel Williams. Okay.
Where does Samuel Williams live?
A. Samuel Williams is dead.
Q. When did he die?
A. 1970 or '69. I'm not sure.
Q. And do you know what he died from?
A. Yeah. He was shot down in a helicopter in Vietnam.
Q. Do you know if he was a smoker?
A. I can't remember.
Q. Do you know where Freddie Williams lives?
A. Freddie Williams is dead.
Q. When did he die?
A. He died in about 198- -- about '89, I believe.

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Q. And what did he die from?
A. Emphysema.
Q. Was he a smoker?
A. Yes.
Q. And where does Mr. Henry Williams live?

A. I believe he lives in [DELETED].
Q. Is he a smoker?
A. Yes.
Q. Did you and your husband ever have any discussions about whether smoking caused Freddie Williams' emphysema?
A. Yes. They thought that's what it was caused by. That's what was told to us that it was caused by.
Q. Are there any members of the family that Mr. Williams was particularly close to besides yourself?
A. Would you repeat that?
Q. Yes.
Besides yourself, were there any members of the family that Mr. Williams was particularly close to?
A. My immediate family? His family?
Q. Your family or his family.
A. Or our family?
Q. Yes, ma'am.
A. Yes, he was close to my brother Eddie.
Q. Anyone else?
A. He was close to -- you know, with all of them. All of the family liked him very well.

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Q. Would he tend to socialize with Eddie?
A. He had, yeah.

Q. Other than the persons you have mentioned, is there anyone else in Mr. Williams' family that's had cancer?
A. Not that I know of.
Q. Other than your brother -- other than Eddie, was there anyone else that Mr. Williams would regularly socialize with, go places with, again, besides yourself?
A. No. My brother Eddie moved away, so it had been years since he was with him, too. So --
Q. So after Eddie moved away, did Mr. Williams have any friends that he would go out to eat with or do any other hobbies with?
A. No.
Q. So he would pretty much go to work and come home and then spend time with you; is that right?
A. That's right.
Q. Do you know where your husband went to high school?
A. Crockett High, I believe.
Q. Did he graduate from there?
A. Yes.
Q. What did he do after high school?
A. He enlisted in the Army.
Q. Do you know when he would have enlisted?
A. 1948.

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Q. How long did he serve in the Army?
A. Five years.
(Ms. Williams-Branch left the deposition room.)
Q. BY MR. RANDLES: Where was he stationed? Was he stationed in more than one place during that period of time?
A. I believe it was in Fort Knox where he began. And then from there he went to Japan. And from there he was in Korea. And I meet him when he was in Fort Lewis.
Q. Was he in combat in Korea?
A. Korea? No, he was not. He was near it, but not in it.
Q. After high school and the military, did he have any other formal education or training, either academic or for jobs that he was on?
A. Well, he was trained to do janitorial work, yeah.
Q. Did he have any special courses or training materials he was given?
A. No.
Q. Did he ever bring home any literature from work?
A. When he was working for the school district, yes.
Q. What kind of literature would he bring home?
A. I can't remember.

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Q. Would you still have any of the literature he would have brought home?
A. No.
Q. Was he a member of a union?
A. No.
Q. He was not?
A. Could I re-answer that question?
Q. Sure, of course.
A. Yes, he was a member of the teachers' union.
Q. I didn't mention something earlier, which is, if you think of additional information to a question that I've asked you before, feel free to say, "I've thought of something else related to that."

All right?

A. Okay.
Q. So he was a member of the teachers' union.

Is that what you said?

A. Yeah, I guess. It was the school district. Yeah, that's the teachers' union, I believe.
Q. Did he ever get literature from the union? Did they send out a newsletter or anything?
A. I don't remember.
Q. Beginning with when you first got -- off the record for a minute.

(A discussion was held off the record.)

MR. RANDLES: Let's take a five- or ten-minute

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break.

(Recess.)

(Ms. Williams-Branch returned.)

Q. BY MR. RANDLES: Did Mr. Williams attend service three times a week when he was a member of the Jehovah's Witness church?

A. Yes.

Q. Did Mr. Williams have any hobbies?

A. He liked to garden.

Q. Did he keep a garden?

A. Not a garden; flowers, yard.

Q. What kind of flowers?

A. I'm not good at flowers, so I don't know the names.

Q. Did he keep flowers in the yard during the entire time you knew him?

A. Basically after he retired, more.

Q. Did he use fertilizer on his flowers?

A. No.

Q. Did he ever use pesticides on them?

A. No.

Q. Did he ever use any chemicals of any sort?

A. He used bark dust; stuff like that.

Q. Did Mr. Williams ever travel outside the country?

A. No.

MR. GAYLORD: Well, you mean other than what she has already told you about his military service?

MR. RANDLES: Yes, other than military service.

Q. BY MR. RANDLES: Was he ever involved in any

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anti-smoking organizations like the American Cancer Society?

A. No.

Q. Did he ever make contributions to the American Cancer Society or the American Lung Association or any organization like that?

A. No.

Q. Did Mr. Williams ever gamble?

A. I believe, yeah, he did.

MR. GAYLORD: I don't know what you mean. You don't know that.

THE WITNESS: Yeah, that's true.

Q. BY MR. RANDLES: What were you about to say about gambling?

A. Well, he got one of those tickets, you know, the lottery tickets. A lottery ticket once in awhile.

Q. Did he ever do any other form of gambling?

A. Not that I know of.

Q. Did he ever go to the Multnomah County Kennel Club?

A. I don't know.

Q. When did Mr. Williams start smoking?

A. I don't know the year, but he started in the service, when he was in Korea. The Army gave them cigarettes to smoke to keep the mosquitoes off of them.

Q. He smoked in Korea.

So it would be sometime during the Korean War,

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right?

A. While he was over there, yes.

Q. Do you know what the first brand of cigarette was that he smoked?

A. Philip Morris, I believe.

Q. Philip Morris brand?

A. Philip Morris cigarette. The name "Philip Morris" cigarette.

Q. The name "Philip Morris."

Did he originally smoke a filtered or non-filtered cigarette?

A. He smoked non -- he smoked filtered cigarettes.

Q. Did he always smoke filtered cigarettes, as far as you knew?

A. As far as I know.

Q. What brand of cigarettes was he smoking when you met him?

A. Philip Morris, I believe.

Q. And they were a filtered cigarette?

A. I don't remember that. That's too for back.

Q. Okay. What color was the pack?

A. I can't remember that either.

Q. Do you know how much he smoked when you first met him?

A. He smoked one -- I can't remember. He didn't smoke very much when I first met him. He didn't smoke very much.

Q. Did your husband -- you indicated that he started

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smoking in Korea to keep the mosquitoes away.

Is that what he told you?

A. That's what he told me, yes.

Q. Did he ever say anything else to you about why he started smoking?

A. That's when he started. He never smoked before.

Q. Did he buy cigarettes in Korea, or did he just smoke what was provided to him by the Army?

A. He never told me how he got them. He did tell me how he started. That's how they started him to smoke, is that they gave him cigarettes while he was in the Army to keep the mosquitoes off.

Q. Did there ever come a time when he switched brands from the Philip Morris cigarette to another brand?

A. To Marlboros.

Q. Do you remember when he switched brands?

A. No.

Q. Do you ever recall seeing him smoke any brand of cigarette other than Philip Morris or Marlboro?

A. He probably had. Maybe like if he had wanted a cigarette, and somebody had a cigarette, he would just take whatever cigarette they would give to him if he asked someone who had a cigarette.

Q. Now, when you first got married -- let me back up. I'm getting ahead of myself.

If I've already asked you this forgive me: Do you remember about when it was that he switched from

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Philip Morris or Marlboro?

A. No, I can't remember.

Q. Do you know whether it was in the decade of the '50s, '60s, '70s?

A. No, I can't remember.

Q. So you have no idea when he switched from Philip Morris to Marlboro, and it could have been anywhere from the 1950s to the 1970s; is that correct?

A. I can't say in what year, you know, I mean decades. I can't say for sure the decade. But I could say approximately how many years, I think, that he was smoking. I know the latter part of his years that he was smoking Marlboros. That's all.

Q. And what color was the pack?

A. They were red, I believe. Red and white, I think.

Q. And were the Marlboros he smoked filtered or unfiltered?

A. He smoked filtered cigarettes.

Q. Do you recall when he switched from filtered to unfiltered cigarettes?

MR. GAYLORD: Objection.

THE WITNESS: I've always --

MR. GAYLORD: Objection. You said, "filtered to unfiltered." I don't think you meant that.

MR. RANDLES: Mental dyslexia.

Q. BY MR. RANDLES: Do you recall when he went from non-filtered to filtered cigarettes?

A. He always, for what I can remember, was smoking

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filtered cigarettes.

Q. Was he smoking filtered cigarettes when you met him?

MR. GAYLORD: That's been asked and answered.

MR. RANDLES: You can answer.

THE WITNESS: I can't remember.

Q. BY MR. RANDLES: Did you ever purchase the cigarettes for him?

A. Yes.

Q. During what years or period of time did you purchase the cigarettes for him?

A. During the years -- during the part of the years at

the beginning our life of our marriage together. The better half of it.

Q. Did you purchase cigarettes for him even after you became members of the Jehovah's Witness church?

A. Yes.

Q. Did there come a time when you stopped purchasing cigarettes for him?

A. Yes.

Q. When would that have been?

A. When they said it was his -- the fellowship matter.

Q. Okay. What brands of cigarettes did you purchase for him when you went to buy cigarettes for him?

A. Marlboro.

Q. Do you ever recall purchasing any other brand?

A. No.

Q. Were they always in the red pack?

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A. I can't remember that.
Q. Did he ever ask you to purchase any other type of cigarette?
A. No.
Q. How much did he smoke per day?
A. About three packs.
Q. Was that amount constant over the years?
A. No.
Q. About how much did he smoke when you first met him?

MR. GAYLORD: Asked and answered.
Q. BY MR. RANDLES: By the early part of your relationship.
A. Probably less than -- he smoked less than a pack.
When I first met him, you mean, when we first got married?
Q. Exactly.
In the early part of your relationship, about how much did he smoke?
A. About less than a pack.
Q. Less than a pack.
And when did that go up?
A. Gradually.
Q. By what point in time was he smoking three packs a day?
A. I would say the last 12 years or so.
Q. Now, did that amount ever go down?
A. Nope. He tried, yeah. He would like -- he would try to smoke less, but he would eventually come back

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to smoking the same amount. But he always was trying, but he -- to smoke less or to stop smoking altogether.

Q. Did he ever tell you why he smoked Marlboros?

A. I never asked him.

Q. Did he ever say anything about Marlboros, why he

preferred them to other brands of cigarettes?

A. We never discussed cigarettes.

Q. Did you disapprove of his smoking from the time that you first met him?

A. No, I didn't.

Q. Did that start once you became a member of the church?

A. No.

Q. When did you begin disapproving of him smoking?

A. When I noticed that he was smoking too much.

Q. When would that have been?

A. The last 12 or so years.

Q. That would be the mid 1980s?

A. I don't remember.

Q. Well, he died in 1997; is that correct?

A. Um-hum.

Q. So 12 years from that would be about 1985, correct?

A. I don't remember the years.

Q. You did not disapprove of him smoking even when your church, sometime in the 1970s, began to disfellowship smokers?

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A. It wasn't my duty to disapprove of him to smoke. I just wanted him not to smoke. I asked him not to smoke so that he could continue on in the religious activities, but it wasn't my duty to like disapprove

like you do with a little child or whatever, no.
Q. Well, when did you first begin to encourage him to quit smoking?
A. I've always asked him not to smoke.
Q. From the beginning of when you met him?
A. No, not from the beginning.
Q. Okay. When?
A. Years. During the years. During the years, as I said, when I realized he was smoking too much.
Q. Did you ever encourage him to quit smoking before the church instituted the policy of disfellowshipping smokers?
A. Nope.
Q. What time of day did Mr. Williams usually have his first cigarette?
A. Anytime. He got up in the morning, he got up in the nighttime to have a cigarette. He'd get up at 4 o'clock in the morning to have a cigarette. Anytime. All times.
Q. Did he smoke cigarettes and drink coffee in the mornings?
A. He would go out from the house -- this was one of his ways of socializing, as you asked about his socializing.

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Well, he would go out and have a cup of coffee

in the morning to various places and smoke, because he didn't want to smoke around me. And he enjoyed having coffee with his cigarettes, so he went out.

Q. Did he meet particular people in the mornings when he would go out and have his coffee?

A. I'm sure he met people, yes, because he talked to me about conversations that he had with people while he was out smoking.

Q. Who would he meet in the mornings when he would go smoking?

A. I'm not sure he would meet anyone particularly, but people who were there he would socialize with.

Q. Who were some of these people that he told you about?

A. He never named people to me.

Q. What places did he go in the mornings to have coffee?

A. Well, a couple -- I know of a couple places he told me he'd gone to. He went to one place called The Overlook. And then he also went to -- I think he went to the Lions Club. And I can't -- those are -- I can't remember.

Q. Would he go out at night to these places as well?

A. He worked in the evening and nighttime, and on his way home from work he would stop and have coffee and

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smoke before he came home.

Q. What hours did he usually work?

A. After he retired?

Q. No. No. When he was still employed, what hours did he work?

A. Oh, he worked -- when he was working for the school district, he worked from 2 o'clock to 10:30; something like that. Eight hours.

Q. Was that 2:00 in the afternoon to 10:30 at night?

A. Yeah. Ten -- it was eight hours.

Q. Were there other places that he would tend to go either in the morning or at night other than these two places?

A. Yes. He went to other places, but I never, you know, asked him about which places he would go to. And sometimes he would tell me, but I don't remember.

Q. Did Mr. Williams ever say to you that he enjoyed smoking?

A. No, he didn't like smoking. He really wanted to quit smoking. He hated it. It was a dirty, nasty habit. It affected his teeth. His teeth all rotted and were all yellow and everything, and he hated that very much.

Q. Did he buy cigarettes by the carton or by the pack?

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A. By the carton.
Q. Did he ever use any other form of tobacco; chewing tobacco, pipe, or cigars?
A. No.
Q. Did Mr. Williams ever talk to his children about smoking?
A. He didn't want them to smoke because it was a bad habit. He didn't like for them to smoke, yeah.
Q. When they were growing up, did he discourage them from smoking?
A. Yes.
Q. What would he say to them?
A. He would tell them not to smoke, that it was a bad habit. They shouldn't try to smoke.

In fact, he caught Calvin smoking once, and he gave him a good licking for it when he was a kid, a teenager.

Q. Did he tell him why they shouldn't smoke?
A. Yeah. He said it was bad for them, and he didn't want them to do it.
Q. When did Mr. Williams first try to quit smoking?
A. He started in the '70s to really try, really -- you know? Lots of times he tried again to stop smoking. He had always wanted to stop smoking, because he knew it was a bad habit from, just as I

say, from religious teachings and knowing what the bible has to say about that. But after it got to

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be, you know, a mandatory thing for his religion, he tried very hard to stop smoking.

Q. What was the longest period of time he was able to stop smoking?

A. Three days.

Q. During that three-day period, did he -- how did he try to quit?

A. He used those patches. And I believe he smoked even when he was wearing the patches, even those three days he tried. But he smoked during the time that he was wearing the patches. He could not just not smoke.

Q. How many times did he try the patch?

A. Several times.

Q. When was the first time he tried the patch?

A. I can't remember.

Q. Do you remember if it was in the 1970s?

A. No, I don't know. It wasn't then.

Q. Did he ever try the nicotine gum?

A. Yes.

Q. Do you remember when he first tried that?

A. No.

Q. Do you remember whether it was in the '70s?

A. I can't remember.

Q. Did he have to go to a doctor to get a prescription for the nicotine gum?

A. One time, yes.

Q. Do you know what doctor he went to?

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A. No. I can't remember.
Q. Did he have to go to a doctor to get a prescription for the patches he tried?
A. I can't remember. I'm not sure.
Q. Other than the gum and the patches, did he try any other form of aid to quit smoking?
A. Just cold turkey.
Q. When he tried cold turkey, would he throw out all of his cigarettes?
A. No.
Q. Would he throw out his ashtrays?
A. I did that.
Q. You did that.
Why did you do that?
A. To try to discourage him.
Q. Did you throw out -- when was the first time that you threw out the ashtrays?
A. In the '70s.
Q. Would he buy more ashtrays?
A. Yeah. He bought him some small ashtrays, and he

would keep them in the kitchen area, because I didn't want them in the living room area where I would be in.
Q. And would you on occasion throw those out?
A. Yeah. And then he put them out in the garage.
Q. From the time you first got together, did you talk to him about the need for him to quit smoking?

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A. No.
Q. Do you remember when the first time you talked to him about the need to quit smoking would have been?
A. When he could not stop smoking, and I knew it was bothering him. Too much smoking, that's when I started. When he was coughing, you know, just being sick from smoking, and I knew it.
Q. When did he develop a cough from smoking?
A. He developed a cough from smoking in the early '70s, really very, very bad, and it continued on to his death.
Q. And he attributed that cough to his smoking?
A. He didn't contribute to it. The doctor said it was against him. That's what the doctor said.
Q. He visited a doctor about that cough?
A. Often.
Q. And what did the doctors tell him?
A. To stop smoking.

Q. And they told him the cough was due to his smoking?
A. Yeah. Said it was bad for him.
Q. Did he believe them?
A. Yeah.
Q. Was the early '70s the first time a doctor told him to quit smoking?
A. I think so, yeah.
Q. Did any doctors after that tell him to quit smoking?
A. Yes.
Q. When?

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A. I don't remember. Just whenever he'd usually go. Because he had bronchitis off and on, off and on all the time, so he would go to the doctors. And they'd give him medication for it and tell him to stop smoking.

Q. So several doctors over the years told him to quit smoking; is that right?

A. Yes.

Q. Did they blame his bronchitis on his smoking?

A. Yeah.

Q. Did he believe them?

A. Yes. He would stop -- he would try to stop for awhile, but he just -- he just couldn't stop.

Q. There was no doubt in his mind that smoking was bad for him, was there?

MR. GAYLORD: Object to the form of the question.

You can answer it.

THE WITNESS: I don't know.

Q. BY MR. RANDLES: How did he feel during the times when he would try to quit smoking?

A. Very irritated. He would be very irritated.

Q. Would he be nervous?

A. Nervous, irritated.

Q. Did he ever gain weight when he tried to quit smoking?

A. He didn't stop smoking long enough to gain weight.

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Q. Did Mr. Williams ever tell you why it was so hard for him to quit smoking?
A. No. He didn't know himself.
Q. Would you describe Mr. Williams as an intelligent person?
A. Very much so.
Q. Why did you say "very much so"?
A. Because he was.
Q. In what ways would you characterize him as intelligent?
A. He was just intelligent. That's all.
Q. Was he well-informed about things?
A. Yes. He read. He was educated. You know, he

graduated from high school. He read books. He liked music. He was just a person that -- he liked everything that an intelligent person would like to do.
Q. Did he like to read?
A. Yeah, he would read.
Q. Was he the kind of person who stayed up to date about current events?
A. Yes.
Q. Did he read the newspaper?
A. Yes.
Q. Did you subscribe to a newspaper?
A. Yes. Sometimes during the years we did.
Q. What newspaper did he tend to read?
A. He read The Oregonian daily.

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When he would go out to do his socializing after -- you know, go out to have his coffee and smoke, well, he'd read the newspaper.

Q. And did he start reading The Oregonian from very early in your relationship?

A. Yeah. He also read the Scanner. That was the little local paper that they put out in our neighborhood.

Q. Did he tend to read the newspaper pretty much front to back? What I mean by that, everything in it.

A. Basically. Sports -- he would read the sports first and then the rest of it.

Q. Did he subscribe to any magazines?

A. Yeah.

Q. Which ones?

A. Sports Illustrated, the Reader's Digest, and I think Fish & Wildlife.

Q. Did he subscribe to the Reader's Digest during the whole time you were together?

A. No.

Q. When did he subscribe to the Reader's Digest?

A. When he retired.

Q. Did he read the Reader's Digest in the years before that?

A. Yeah, he read it.

Q. He just sort of picked them up around and read them as opposed to subscribing?

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A. Yeah. That's how he did it at first. But after he retired, he got a subscription for them.
Q. Did he read the Reader's Digest in the '50s and '60s?
A. I can't remember that far back.
Q. Did you-all ever subscribe to Time or Life magazines?
A. Yeah, we used to have Time magazine and Look

magazine, too.
Q. Did he ever read the New Yorker?
A. No.
Q. Did he ever read Forbes magazine?
A. I don't think so. Not at home he didn't.
Q. What kind of books did he like to read?
A. As I said, the Reader's Digest, Sports Illustrated, sports, and the wildlife books. And he would read newspapers. He would read -- he also read Ebony, a black magazine. And different things he just read, you know, like a person reads; whatever.
Q. Did he like any particular type of fiction or nonfiction books as opposed to magazines?
A. No, he didn't read novels.
Q. Did he watch television?
A. Yes.
Q. Did he watch the evening news?
A. Yes, sometimes.
Q. Did he listen to the radio in his car when he was driving?

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A. Yes.
Q. What kind of station did he like?
A. It was a talk station that he had on most of the time.
Q. Talk radio of some sort?

A. Um-hum.
Q. Was it a news station?
A. I can't remember.
Q. Did he ever participate in sports when he was growing up?
A. Yeah.
Q. What sports?
A. Basketball. Basketball and, I believe, running, too. He told me he ran.
Q. Do you know the names of any of the Army units or divisions that he served with?
A. No, I do not.
Q. What did he do in the Army?
A. What do you mean by that?
Q. Well, did he have a specific job? Like was he a truck mechanic or a cook or something like that?
A. He was in the auxiliary part of it. And that was -- he was a sergeant over a platoon. So I don't know other than that. That's all I know. He was a truckdriver. He drove.
Q. All right.
MR. RANDLES: Let's go off the record.

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(A discussion was held off the record.)

Q. BY MR. RANDLES: Do if know if he was a member of the Boy Scouts when he grew up?
A. No, I don't remember.
Q. Did you ever discuss with your husband the scientific reports that started coming out in the mid 1950s about the risk of smoking?
A. Yeah. We discussed it, yes.
Q. He was aware of those reports, correct?
MR. GAYLORD: Object to the form of the question.
What do you mean "those reports"?
If you've got one in mind, you can answer it.
THE WITNESS: I don't know. I don't know what you're talking about. Those reports I don't remember.
Q. BY MR. RANDLES: In the mid 1950s did you ever hear any newspaper reports about any scientific findings about the risk of smoking?
A. If I did, I can't remember.
Q. Did you on occasion hear the news or pick up the newspaper or any other source and read about scientific findings about smoking?
MR. GAYLORD: At any time?
MR. RANDLES: At any time.
THE WITNESS: Yes.

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Q. BY MR. RANDLES: Did you discuss those findings with your husband over time?
A. Not all the time, no.
Q. Some of the time, did you?
A. I have mentioned it.
Q. Do you remember hearing about the 1964 Surgeon General's reports about smoking?
A. Yes.
Q. Did Mr. Williams hear about that?
A. Yes.
Q. Did you-all discuss that?
A. We mentioned it.
Q. He was aware of what was reported in the media about that, correct?
MR. GAYLORD: Object to the form of the question.
THE WITNESS: I can't say that.
Q. BY MR. RANDLES: Do you ever remember seeing warnings on packs of cigarettes?
A. Yes, I've seen warnings on packages of cigarettes.
Q. Did you ever discuss any of those warnings with your husband?
A. No.
Q. Did you ever mention anything to him about the fact that, "It says right there on the pack that it's bad

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for you. You ought to quit"?
A. Yes.
Q. You did say things like that to your husband?
A. I have.
Q. What did he say?
A. He said, "I know. And I'm going to." But he never could, and he didn't.
Q. Did you ever hear that old song, "Smoke, Smoke, Smoke That Cigarette"?
A. I believe my parents had the record.
Q. Did your husband know that song?
A. No.
Q. Did your husband ever hear news reports about the possible health dangers associated with certain kinds of food, like high-fat foods?
MR. GAYLORD: Object to the form of the question.
MR. RANDLES: You can answer.
THE WITNESS: I don't know what my husband, you know, heard about things like that.
Q. BY MR. RANDLES: Have you ever heard anything about that?
A. I have heard of that, yes.
Q. Did your husband ever change his eating habits based on the publicity about the risks of certain kinds of

foods?

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A. No.

MR. GAYLORD: Object to the form of the question.

Q. BY MR. RANDLES: What kinds of foods did your husband like to eat?

A. Basics.

Q. What is basic to some may not be to others.

Could you explain to me what you mean by "basics"?

A. Meat, vegetables, fish, and fruit.

Q. What kind of meat did he like?

A. He loved steak.

Q. Did he like charbroiled meats?

A. No. I mean, he might have, yeah, sure. Everybody usually has some every once in a while.

Q. Did you-all ever barbecue?

A. Yes. Occasionally.

Q. Did any doctor ever advise Mr. Williams to change his diet?

A. No.

Q. Did Mr. Williams ever have a weight problem?

A. He lost weight, but he didn't have, you know, a weight problem like I have.

Q. No doctor ever told him that he needed to lose some

weight or anything like that?

A. No.

Q. Did Mr. Williams ever use the terms "coffin nail" or

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"cancer sticks" about cigarettes?

A. I don't know what you are talking about.

Q. You've never heard him say those phrases?

A. Hum-um.

Q. Did you ever hear anyone else say to him that those were "coffin nails" or "cancer sticks"?

A. I think -- just let me think about it.

I think I've told him, "You are smoking a cancer stick. You're smoking a cancer stick."

Q. How was Mr. Williams' health before his cancer?

A. He had always had good health.

Q. Do you know what kind of childhood illnesses he had?

A. No.

Q. Did Mr. Williams ever miss work because of illness?

A. He missed work because of emphysema. Not emphysema, but bronchitis.

Q. When did he first have bronchitis?

A. I remember it in the '70s.

Q. Did he have it fairly often after that?

A. He had it pretty often, yeah.

Q. And did he frequently go to the doctor about that?

A. Yes. In fact, that's what he went to the doctor for

when they discovered that he had cancer, was for bronchitis.

Q. When he was off work sick and on disability, what did he do when he was home?

A. He was always -- I don't know how to answer that.

Q. Did he read a lot when he was home?

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A. When he was off sick?
Q. Yes.
A. When he was off sick, well, he would just rest like most people do.
Q. Did he tend to watch TV when he was home?
A. Yes.
Q. What kind of TV shows did he like most?
A. Sports.
Q. Did Mr. Williams ever have abdominal problems?
A. No, not that I know of.
Q. Did he ever have a hernia?
A. Yes.
Q. When was that?
A. I can't remember the year.
Q. Did he ever have to undergo any physical therapy?
A. No.
Q. Did he ever have trouble sleeping?
A. No.
Q. Was he a deep sleeper?

A. He would have been if he didn't have a cough. He used to be a deep sleeper. But years later he became -- you know, he'd wake up from coughing so much. And then he'd wake up because he needed to have a cigarette.
Q. Did he ever have any serious bouts with the flu?
A. No.
Q. Did he ever have hypertension or high blood

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pressure?

A. No.

Q. Did any doctor ever tell him his cholesterol was too high?

A. No.

Q. Did he ever have any abnormal findings in a blood test?

A. I don't know.

Q. Did he ever have problems with his liver?

A. No.

Q. You mentioned earlier he had trouble with his teeth; is that right?

A. Yeah.

Q. When did he first start having problems with his teeth?

A. For years. I don't know. The stain got on his teeth from smoking for -- during the years. That's

all I can say. During the years we were married.

Q. Did he ever have to go to a dentist to have a sore tooth treated or pulled?

A. He had to go and have a whole bunch of them pulled, because some of them just rotted out.

Q. And when was that?

A. Back in about 1985 or somewhere in there.

Q. Do you know the name of the dentist he went to?

A. I can't remember right offhand.

Q. If that happens to come to you, will you let me know?

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A. Sure.
Q. Thank you.
Did he ever get any medication for his cough?
A. Yes.
Q. Do you remember when he first got medication for his cough?
A. During the '70s, when he first started going to the doctors for it, and they called it bronchitis. Each time he went to the doctor it was bad enough for him to get medication, so they gave it to him.
Q. When he'd get medication, did he take it for a short period of time or did he ever have a cough medicine that he took regularly?
A. They gave it to him for a period of time. It lasts

for a -- it would make him feel a little better for the time that he was taking it, then it would come right back. So he would go back to the doctor again.
Q. Did his cough get worse during any particular time of the year?
A. No, he had a year-round cough.
Q. Did Mr. Williams ever apply to be included in something called the Lily Bronchitis Study?
A. No.
Q. That doesn't ring any bells with you, the Lily Bronchitis Study?
A. No.

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Q. Was Mr. Williams ever diagnosed with COPD?
A. COPD? I don't know what that is.
Q. Chronic obstructive pulmonary disease.
A. No.
Q. Did Mr. Williams have any other illnesses or conditions that you and I haven't talked about before his diagnosis of lung cancer?
A. He had an illness years ago. It wasn't an illness. He had -- well, it was -- he had an erupted appendix.
Q. Did he have to have an operation for that?
A. Yeah.

Q. Did that clear up that problem, or did he have problems from it over the years?
A. Well, he did have a flare back once.
Q. And did he require additional surgery, or were they able to treat it with medication?
A. I think they had to do surgery.
Q. What year was the ruptured appendix? Do you remember what year?
A. I can't remember what year.
Q. Do you remember if it was in the '60s?
A. I can't remember if it was in the '60s or '70s. I can't remember. I remember my oldest son was 16 years old. That's all I can remember.
Q. Did Mr. Williams ever receive any medical treatment, since you knew him, outside of the [DELETED] area?
A. No.

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Q. Did he ever receive any medical treatment before you met him that he talked to you about?
A. No. Just for -- I think he had frozen feet when he was in the service. That's all.
Q. Did he get those in Korea?
A. Yeah.
Q. Did Mr. Williams ever receive any radiation treatments before his diagnosis of cancer for any condition?

A. No.
Q. What was Mr. Williams' attitude towards doctors in general?
A. Well, he believed in them, but he didn't like going to them.
Q. Did he take their advice seriously?
A. Yeah.
Q. Did he have annual checkups or did he just go when he felt bad?
A. He would go when he had these attacks of bronchitis.
Q. Is that the most common reason he went to the doctor over the years?
A. Yes.
Q. Do you know whether, before his diagnosis of cancer, he'd had chest X-rays?
A. Yes.
Q. Did he ever have any abnormal findings ever show up on a chest X-ray?

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A. Yes.
Q. And what was that?
A. Emphysema.
Q. When was he first diagnosed with emphysema?
A. I can't remember.
Q. Do you remember if it was in the 1960s?
A. No, it wasn't that far back.

Q. Do you remember if it was in the 1970s?
A. I can't remember.
Q. Was your husband ever tested for tuberculosis?
A. Not that I know of.
Q. Did he take any medicine on a regular basis before his diagnosis?
A. No.
Q. Did Mr. Williams, before his diagnosis, ever take sleeping pills or tranquilizers?
A. Never.
MR. RANDLES: Let's go off the record for a minute.
(A discussion was held off the record.)
MR. RANDLES: Let's take a ten-minute break or so.
(Recess.)
Q. BY MR. RANDLES: When your husband received prescriptions, what pharmacy did you use to fill them?
A. Terry's. Terry's Pharmacy.
Q. How do you spell that?

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A. T-e-r-r-y-s.
Q. And where is that located?
A. Northeast 15th [sic].
Q. When you would purchase cigarettes for your husband,

where would you buy them?
A. Fred Meyer mostly all the time.
Q. Where would he buy his cigarettes?
A. He did a lot of grocery shopping for me, so he bought them at Fred Meyer's, too, lots of times.
Q. Was your husband in Korea before he met you?
A. Yes.
Q. Did he go back to Korea after you met?
A. No.
Q. Do you know what years he was in Korea?
A. No.
Q. You testified earlier that there were times that you would call your husband's cigarettes "cancer sticks."
When did you do that?
A. Oh, there would be times -- like he would be smoking. Like you had asked me previously, about did we see the signs on the cigarettes, the warning signs about smoking tobacco. I would show these to him and tease him and say like, "That's okay. You go on and keep on smoking that cancer stick."
And then he would go, "Okay. Yeah, you know, the tobacco companies don't even say they're cancer

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sticks, so I can smoke them."

I said, "Read the slogan on there where it

says, the Surgeon General warns against it."

And he'd say, "But it didn't say that it would give you cancer."

Q. So what time period did you start telling him that cigarettes were cancer sticks?

A. Somewhere during the '70s.

Q. When did your husband first come to believe that he was addicted to the cigarettes?

MR. GAYLORD: Object to the form of the question.

MR. RANDLES: You can answer.

THE WITNESS: My husband never thought he was addicted to cigarettes.

Q. BY MR. RANDLES: When did you think he was addicted to cigarettes?

THE WITNESS: I never --

MR. GAYLORD: Object to the form of the question.

THE WITNESS: I never knew that he was addicted to them.

Q. BY MR. RANDLES: Were you aware of the publicity given to people who alleged that cigarettes were addictive over the years?

A. No.

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MR. GAYLORD: Object to the form of the question.

What --

Q. BY MR. RANDLES: Were you aware of articles published by your own church that said cigarette smoking was an addiction?

MR. GAYLORD: Object to the form of the question.

If you want to ask her about specific articles, you should put the specific articles in front of her.

MR. RANDLES: I appreciate your advice.

Q. BY MR. RANDLES: Please answer the question.

MR. GAYLORD: I'll let her answer it, if you're asking about a specific document.

MR. RANDLES: I'm not asking about specific documents.

Read the question back, please.

(The reporter read back as requested.)

MR. GAYLORD: And my instruction is that she is not to answer it unless you specify what article you are talking about.

If you're going to ask her about an article or a document that exists, you're going to have to show it to her.

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MR. RANDLES: I'm asking her if she is aware of any articles.

I'm not going to argue with you. If you want to give her that instruction and stand on it, feel free.

Is that your instruction?

MR. GAYLORD: If you're telling her in your question that there is an article that uses a word, then you are going to have to produce it and show it to her or she is not going to answer your question, and that is my instruction.

MR. RANDLES: Fine.

Q. BY MR. RANDLES: Were you aware of your church's position that smoking was addictive?

A. No.

Q. You've never been aware that your church has stated repeatedly that smoking is addictive?

MR. GAYLORD: That's been asked and answered.

MR. RANDLES: Has not.

Q. BY MR. RANDLES: Please answer.

MR. RANDLES: And you know that is not a valid objection in a deposition.

THE WITNESS: No, I don't know of anything like that.

Q. BY MR. RANDLES: All right. When did your husband first try to quit smoking?

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A. Somewhere in the '70s.
Q. Was that before or after your church instituted its policy of disfellowshipment?
A. I can't remember.
Q. What magazines did your husband read in the 1950s?
A. Time and Look.
Q. Any others?
A. That's all at that time that I can remember.
Q. What magazines did he read in the 1960s?
A. The same.
Q. How about the 1970s?
A. The same.
Q. What magazines did your husband read in the 1980s?
A. In the latter part of the '80s he changed. He would read those two, but he read the Wildlife and Sports Illustrated and the Reader's Digest and the Ebony.
Q. Did he start reading Ebony in the last part of the 1980s?
A. He read the Ebony prior to the Reader's Digest and those others, yes.
Q. Did he continue reading the Ebony throughout the 1990s?
A. Yeah.

Q. What other magazines did he read in the 1990s?
A. Sports Illustrated, Field & Wildlife and the Ebony and Reader's Digest.
Q. Did your husband ever switch to low-tar or

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low-nicotine cigarettes?

A. At times. He would try them, but he would go back to Marlboros. He had tried them at one time, I remember.

Q. When did he try them?

A. I can't remember the time, but I remember him trying it once.

Q. Do you remember what decade it was in?

A. In the 1990s or '80s. I don't remember.

Q. Did you ever encourage him to switch to lower tar or lower nicotine cigarettes?

A. No. I just asked him to stop smoking.

Q. Did he like the low-tar or low-nicotine cigarettes?

A. I don't know whether he liked them or not, but he just didn't smoke them.

Q. He tried them, but then he went back to Marlboros?

A. Yes.

Q. Do you know what Wanda Faye's address is in [DELETED], your husband's sister?

A. No, I do not.

Q. Could you please name your children.

A. Glenn, Darlene, Joann, Jesse, Freda, Calvin.

Q. Okay. When was your first child born?

A. 19 -- he was born April 26th, 1953.

Q. Do all of your children currently live in the [DELETED] area?

A. Yes.

Q. Do you have any grandchildren?

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A. Yes.
Q. How many?
A. Maybe about 13, I think.
Q. Do all of your grandchildren live in the [DELETED] area?
A. Yes.
Q. Please list all of the doctors that Mr. Williams saw prior to his diagnosis that you can remember.
A. Dr. Kern, James Kern; Dr. Segal; Dr. Turner. That's all I can remember right offhand.
Q. Do you have a regular family doctor?
A. I do, yeah, for myself.
Q. Did Mr. Williams have one?
A. No. Dr. Kern for the last few months of his illness.
Q. Before his illness and over the years when he would have bronchitis, what doctor would he go to?
A. He went to my doctor most of the time. At that time

Dr. Smith was my doctor.
Q. Dr. Smith?
A. Robert Smith.
Q. Where did Dr. Smith practice?
A. It was called Modine Clinic at that time.
Q. Is Dr. Smith still practicing?
A. No, I don't think so. He may be, but he's not there anymore.
Q. And did you have a regular physician before

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Dr. Smith?

A. Oh, I had Dr. Smith for 27 years. So I don't remember who I have had before then.

Q. After Dr. Smith who became your regular physician?

A. Mine?

Q. Yes.

A. Dr. McGuiness for six years.

Q. Where did Dr. McGuiness practice?

A. The same clinic, but it has a different name. So I can't remember the name.

Q. Where is the clinic located?

A. On Northeast Weidler.

Q. And who was your -- did Mr. Williams ever go see this doctor?

A. McGuiness?

Q. Yes.

A. Not that I remember.

Q. Okay. Who was your next regular physician?

A. The physician I have now is Dr. Carroll, Michael Carroll.

Q. Where does he practice?

A. Same clinic.

Q. Did Mr. Williams ever go see him?

A. No.

Q. Who was the first doctor that told Mr. Smith [sic] that his bronchitis was caused by his smoking?

MR. GAYLORD: Object to the form of the question.

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MR. RANDLES: I'm sorry. Let me try that again.

Q. BY MR. RANDLES: Who was the first doctor who told Mr. Williams that his bronchitis was related to his smoking?

MR. GAYLORD: Object to the form of the question.

THE WITNESS: I can't remember the first doctor.

Q. BY MR. RANDLES: Did Dr. Smith ever tell him that?

A. I can't remember that either.

Q. Prior to your husband's lung cancer diagnosis, would you please list for me any of the hospitals that he

stayed at or got treatment at.

A. For what purpose?

Q. Any purpose.

A. Emanuel Hospital, and the University of Oregon School -- Medical School -- Oregon University Medical School.

Q. Any others?

A. No.

Q. Did your husband ever have problems with his eyes?

A. Well, he was farsighted like I am, so --

Q. Who was his eye doctor?

A. I can't remember.

Q. Did Mr. Williams like spicy foods?

A. It all depends on what you call "spicy."

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Q. Did he like Cajun food?
A. No, we never liked Cajun food.
Q. Did he like Mexican foods?
A. No, we didn't eat Mexican foods.
Q. Did he eat a lot of fried foods?
A. Not a lot, but some.
Q. You said he ate a lot of meats.
What was his favorite side dish?
A. I didn't say he ate a lot of meats. I said, "He liked steak."
Q. Okay. What was his favorite side dish?

A. Green vegetables; greens.
Q. Did he eat three meals a day?
A. Sometimes.
Q. What was his usual pattern?
A. Twice a day.
Q. Did he eat much junk food?
A. No.
Q. Was he ever put on any type of special diet for medical reasons?
A. No.
Q. Did he use artificial sweeteners in his coffee?
A. No.
Q. Did he use sugar?
A. Yes.
Q. How much coffee did he drink in an average day?
A. I don't know. I wouldn't be with him all the time he drank. But when he'd go out -- after he'd go out

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in the mornings and have coffee, then we would come back and he would take me out, and he would have a cup with me. And I don't know how many cups he had before then.

Q. Did he take a thermos of coffee to work?

A. No.

Q. Did he drink tea?

A. Occasionally.

Q. What was his favorite cold beverage?

A. Pepsi.

Q. Other than his job, did your husband exercise regularly?

A. He did gardening all the time. And he and I would walk after lunch, when we would go out to eat. And this was after -- this is after he retired. And we would have lunch together, then we would go for a walk.

Q. Did Mr. Williams drink alcoholic beverages?

A. He had -- yeah, he drank. Not a lot. Once in awhile he would have a drink; a Bloody Mary. That's about all.

Q. Did he drink beer?

A. No, he never liked beer.

Q. Did he ever go out to bars?

A. Not that I -- well, yeah, I'm sure he's gone into them sometimes to have coffee, yes.

Q. Were there any that he would go to with any

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frequency?

A. Not that I know of.

Q. Did he ever have a problem with drinking?

A. No.

Q. Did he drink at home?

A. A Bloody Mary once in awhile; once a year.

Q. Do the Jehovah's Witness -- does the Jehovah's Witness church teach against drinking?

A. No.

Q. After he got out of the military, could you list for me the jobs that your husband held.

A. That's going to be a hard thing to do.

His very first job that he did was in a hotel doing maintenance.

Q. What hotel was that?

A. I think it was called the Miller's Hotel.

Q. Here in Portland?

A. Yeah.

Q. How long did he work there?

A. Just a few months.

Q. What was his next job?

A. His next job was for Northwest Poultry.

Q. How long did he work there?

A. About a year, maybe.

Q. What was his next job?

A. For the City of Portland Water Bureau.

Q. How long did he work there?

A. Seven or eight years.

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Q. At the Miller's Hotel you indicated that he had -- I'm sorry. I don't remember.

Did you say what kind of work he did for them?

A. Yeah; maintenance.
Q. Maintenance job.

What kind of work did he do for Northwest Poultry?

A. I'm not sure.
Q. What kind of work did he do for the Water Bureau?
A. They put in water meters.
Q. Why did he leave his job at the Miller's Hotel?
A. To get the job with the City.
Q. After the Miller's Hotel he went to Northwest Poultry?
A. To get the one for the poultry, yeah.
Q. Why did he choose the poultry job over the hotel job?
A. I don't know. It was probably a full -- it was better pay.
Q. And why did he leave the poultry job to go to the Water Bureau?
A. Better pay and a better job.
Q. What do you mean by "a better job"?
A. It had a lot of benefits.
Q. Who was his supervisor at the Miller's Hotel job?
A. I don't know.
Q. Do you know any of the coworkers?

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A. No.

Q. Do you know who the supervisor was at Northwest Poultry?
A. No.
Q. Or any of the coworkers?
A. No.
Q. What about at the Water Bureau, who was his supervisor there?
A. I don't remember.
Q. Do you know any of the coworkers from that job?
A. I can't remember.
Q. What was his next job?
A. Self-employment. Like he -- he was -- he got ill. He was ill. He got it one night, the appendix. It left him disabled, so the State trained him for doing janitorial, maintenance-type work and bought him material, yeah, to go into that business for himself. So that's what happened. That's what he did.
Q. Did they send him to any classes to learn to do the janitorial work?
A. They sent him to -- I think it was to Goodwill Industries, where they train them.
Q. What kind of materials did the City provide for your husband?
MR. DUMAS: I'm sorry. Say it again.

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Q. BY MR. RANDLES: What kind of materials did the State provide for your husband?
A. Buffers, mops, pails, and whatever -- those types of things -- vacuums.
Q. Did he file some sort of disability claim related to his appendix problem?
A. No, he didn't file no claim. He was just disabled to do the kind of work that he had previously done, so the State rehabilitated him.
Q. And when he was self-employed, what did he do?
A. Janitorial work.
Q. How did -- did he go out and find clients for himself, or was there some organization that sent him out?
A. He found them for his self.
Q. And how long was he self-employed doing the janitorial work?
A. Up until he died. He was doing some type of that self --
Q. I'm sorry.
A. -- employment.
Q. I didn't mean to talk over you.
So he continued to do the self-employed janitorial work even when he had other jobs; is that right?

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A. Yes.
Q. Did he do the self-employed janitorial work full-time at any point in time?
A. Yes.
Q. When was that?
A. Before he started working for KISN radio.
Q. And when did he start at the radio station?
A. I think in 1967.
Q. What kind of work did he do for the radio station?
A. They called him a porter. He did various things besides their maintenance work. He did set-ups at the Coliseum. He delivered posters and things to all the big supermarkets around town and the small cities around.
Q. Who were his coworkers at that job?
A. I can't remember.
Q. Who was his supervisor?
A. I can't remember that either.
Q. Who signed his checks?
A. I believe her name was Rosemary. And the owner was -- the station owner's name was Mr. Burton. Mr. Burton, that's all I can remember.
Q. When did he stop working at the radio station?
A. When it went out of business.
Q. And after the radio station, what did he do?

A. He maintained his own self-employment.
Q. Did he ever begin work for someone else after that?
A. Yeah. He got a job with NorPac. He was a

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supervisor over a maintenance group.

Q. NorPac, what is that?

A. Northwest Lumber Company.

Q. And when did he start working at Northwest Lumber Company?

A. I can't remember. It was after KISN went out of business.

Q. How long had he worked there?

A. For the --

Q. For the lumber company, is what I'm asking.

A. I can't remember.

Q. Was it several years or was it a short period?

A. It was several years, yeah. I can't remember.

Q. Where was the lumber company located?

A. It's located in southeast, but I don't know the street. It's close to Division.

Q. What kind of work did he do for them?

A. He was a supervisor over the maintenance or janitorial people there.

Q. Okay.

MR. GAYLORD: I hate to interrupt you if you're in the middle of a subject, but it's a quarter after.

MR. RANDLES: I am, but this is going to take a little while, so this would be a good place to stop.

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(A discussion was held off the record.)

MR. RANDLES: Let's take lunch.

(Lunch recess.)

(Returned from lunch recess, 1:33 p.m.)

(All are present that were previously present.)

Q. BY MR. RANDLES: Do you know the current address of Betty Hill?

A. No.

Q. Do you know what town she lives in?

A. Yeah; [DELETED].

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Q. Do you know what part of town?
A. No.
Q. Do you know the current address of Francis Hill?
A. No.
Q. Do you know what part of town she lives in?
A. Yes. She lives in northeast.
Q. Northeast [DELETED]?
A. Yeah.
Q. Are any of your husband's aunts, uncles, or cousins still alive?
A. I'm sure there is, but I don't know of them. I don't know of them. I never knew my husband's relatives that much.
Q. Do you know the names of any of his aunts, uncles, or cousins?
A. Only one aunt that I do know, and her name is Jesse May.

Q. Jesse May.
Do you know her last name?
A. No.
Q. Do you know where she lives?
A. She lives in Texas someplace.
Q. Does she live in the [DELETED], area someplace?
A. I don't know.
Q. When we stopped we were talking about your husband's employment, Northwest Lumber Company.

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How long did he work there?

A. I'm not sure how long, how many years. I'm not sure.

Q. About when did he start?

A. After KISN closed, and I'm not sure of the year.

Q. And do you remember about when he stopped working there?

A. No. I could just tell you that the next job he got -- his next job after. That's all I can tell you. But the times he quit, I don't remember.

Q. Why did he stop working at Northwest Lumber Company?

A. They changed their job positions, his job position to another position, and they had another person for it.

Q. So they did away with his position, basically?

A. Yeah.

Q. Do you remember who the supervisor was at Northwest Lumber?

A. No, I don't.

Q. Do you know any of the names of his coworkers?

A. No.

Q. What job did he go to after Northwest Lumber Company?

A. He went to the Portland School District.

Q. And what school did he work at?

A. First school he worked at was Portsmouth Middle School, I believe.

It was Jefferson High School. And the second

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position was Portsmouth.

Q. What was his next position after that one?

A. I don't know. It was -- after he made assistant supervisor, he was -- it was King School, I believe.

Q. Were there any schools after that?

A. Yeah; one.

Q. Which one?

A. I don't remember.

Q. Now, during the whole time he worked for the school district, was his employment essentially janitorial/custodial type?

A. Yeah.

Q. Now, during the time that he worked for the school district, did he also maintain his own independent janitorial service?

A. Yeah, some of it.

Q. Did he do that, this independent janitorial work on a daily basis?

A. Yes.

Q. And about how many hours a day would he devote to his independent janitorial work?

A. I don't remember how many hours he spent at it.

Q. Was it part time or --

A. It was part time.

Q. -- was it full time?

MR. GAYLORD: Make sure he is finished with his question.

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Are you okay? Do you need to stand up and move around?

THE WITNESS: I'm okay.

Q. BY MR. RANDLES: About how many clients did he have for his independent janitorial work?

A. He only had one.

Q. Did he have that client for several years?

A. Yes, for quite a lot of years.

Q. And who was that client?

A. Elliott Powell.

Q. Could you spell that?

A. Elliott Powell.

Q. Was that the name of the company?

A. Elliott Powell & Baker.

Q. Elliott Powell & Baker.

What kind of business was that?

A. Insurance.

Q. Here in the [DELETED] area?

A. Yes.

Q. When did your husband retire from the Portland school system?

A. 1991.

Q. And why did he retire in 1991?

A. He had gotten to having so much -- he was having his cough so much and everything, he was being sick all the time from it.

Q. Did he continue to maintain his own independent business after that?

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A. Yes.
Q. And how long did he maintain that?
A. Until he died.
Q. Approximately how much money did he make per year from his independent business?
A. Over 6,000.
Q. And by the time he retired from the Portland school

system, what was he making?
A. I can't remember.
Q. During his time with the Portland school system, what were the names of his supervisors and coworkers whom you knew?
A. I can't remember any.
Q. You can't remember anyone that worked with him at the Portland schools?
A. Nope.
Q. Did you ever socialize with any of his coworkers?
A. No.
Q. Did he?
A. Not -- I mean, maybe. I don't know.
Q. Did your husband ever talk to you about his work, the work conditions at the schools?
A. No, not really.
Q. Was your husband ever issued a respirator for use in his employment as a janitor?
A. No.
Q. Did your husband ever mention that he was exposed to

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asbestos at work?

A. Never mentioned it.

Q. Did he ever talk to you about any chemicals that he worked with at work?

A. No.

Q. Did he ever bring any chemicals home from work?

A. No.

Q. Did he ever talk about the dust at work?

A. Let's see. On one occasion; just once.

Q. What did he say to you?

A. That in the -- during the summer months they had to do a boiler -- clean out boilers, and it was dusty. But he didn't do it. He didn't do that type of work himself.

Q. When he came home from work were his clothes dusty?

A. No.

Q. Did he have any periods of unemployment?

A. Not in -- no, because he was self-employed most of the time.

Q. Did Mr. Williams keep in contact with any friends from the Army?

A. No.

Q. Other than the one person you mentioned earlier who introduced -- one of the people who introduced the two of you, did you know anyone else that he served with in the Army?

A. No.

Q. Did Mr. Williams have any scrapbooks or photographs

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from his days in the military?

A. No.

Q. Did he have any discharge papers or anything else, any papers from his days in the military?

A. He had some, but he lost them.

Q. Do you have any papers from his military service?

A. No.

Q. Mr. Williams was born in Crockett, Texas; is that correct?

A. Yes.

Q. And did he live there until he went into the military?

A. Yes.

Q. We've already talked about the places that he was stationed in the military.

Once he got out of the military, did he live in the [DELETED] area the rest of his life?

A. Yes.

(Mr. Randles and Mr. Fraser conferring.)

Q. BY MR. RANDLES: When he lived in Texas, did he live in the country or in town?

A. The country.

Q. Did they live on a farm?

A. When he was young, yes.

Q. Was the family business farming?

A. I don't know.

Q. Do you know if he worked on a farm?

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A. He did farm work, yes.
Q. What other kind of work did he do while he was growing up in Texas?
A. That's all I know he did is farm work.
Q. What type of heating system have the homes in which you and Mr. Williams have lived in in [DELETED] had?
A. Mostly gas.
Q. Did you ever have oil heat?
A. We have oil heat in the home that we live in now.
Q. And did you ever have a wood-burning stove?
A. No.
Q. Did you have fireplaces?
A. Yes.
Q. Did you use the fireplace?
A. No.
Q. Have any of the homes that you've lived in been treated regularly for insects; cockroaches, et cetera?
A. No. We never had any.
Q. Did you do any insulation work, painting, or remodeling of any of these residences when you were there?
A. Yeah, we did. We had it done when we weren't at home.
Q. Did Mr. Williams do any of it himself, or did you

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pay someone else to do it?

A. No, I did it.

Q. What kind of work did you do?

A. Paint, wallpaper.

Q. Any taking out or installing insulation or anything like that?

A. No.

Q. Any adding on of rooms?

A. No.

Q. Did your family keep pets?

A. We had a dog once.

Q. Did Mr. Williams grow up with pets in Texas?

A. I'm not sure.

Q. Did you ever live near any industrial plants?

A. No.

Q. Chemical plants?

A. No.

Q. Electric utilities?

A. No.

Q. Were any of your homes ever tested for radon?

A. No.

Q. Were you and Mr. Williams close to any of the neighbors around whom you lived?

A. We weren't close to them, but we knew of them. We were friendly with the neighbors.

Q. Did Mr. Williams socialize with any of his

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neighbors?

A. No.

Q. What neighbor over the years that you've lived close to might know Mr. Williams best?

A. I can't recall.

Q. Were there any particularly stressful periods in Mr. Williams' life?

MR. GAYLORD: Object to the form of the question.

MR. RANDLES: You may answer.

THE WITNESS: No.

Well, there was a period when he was sick and he couldn't work, that was stressful for him. And also it was stressful for him when he developed this bronchitis thing, and he had to miss so much work from being sick with that.

Q. BY MR. RANDLES: What other stressful experiences has he gone through in his life?

MR. GAYLORD: Object to the form of the question.

THE WITNESS: I don't know what kind of other -- it's just like the death of his parents; that type of a thing.

Q. BY MR. RANDLES: Any other death in the family that was stressful to him?

A. His brother's death. Both of his brothers' deaths. And he also experienced his sister's death, which

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was a little bit stressful.

Q. Was he close to his brothers and sisters?

A. No, they weren't close.

Q. Any family problems that caused him stress?

A. No.

Q. Any problems with his children that caused him stress?

A. No.

Q. Have you and your husband ever been involved in any lawsuits in the past?

A. No.

Q. None at all?

A. Nope. Not that I can remember.

Q. No one has ever sued you in the past?

A. No.

Q. How would you describe your marriage to your husband?

A. We had a very good marriage, very successful marriage.

Q. Did you and Mr. Williams ever separate?

A. No.

Q. Did you ever go to marriage counseling?

A. No.

Q. Did you ever file a petition for child support?

A. No. I never saw one for child support.

Q. Did you ever file any petition of any kind regarding your husband or against your husband?

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A. No. I've never filed anything against my husband. I had once upon a time between employments applied for Welfare, but that wasn't against my husband. But that was the only thing that I ever did.
Q. Who is Lynn Williams?
A. Who?
Q. Lynn, L-y-n-n, Williams.
A. I don't know.
Q. Did Mr. Williams ever live with a Lynn Williams?
A. No, he never did.
Q. Did you ever tell anyone that you were thinking of separating from your husband?
A. No.
Q. Who are the heirs to your husband's estate?
A. Pardon?
Q. Who are the heirs to your husband's estate?
A. His children and myself.
Q. Was Mr. Williams ever arrested?
A. Yes, once. I don't know if you'd call it -- well,

he was picked up once. One time there was a robbery in the neighborhood, close to the neighborhood where we were living. And he was on his way home, and the police followed him home and took him down --
Q. Was he released without charges?
A. Yeah, because it wasn't him.
Q. Did Mr. Williams ever file for bankruptcy?
A. Yeah.
Q. When was that?

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A. Oh, I can't remember.
Q. Well, do you know whether it was in the 1990s, 1980s?
A. I can't remember. It was in the '70s or -- I can't remember.
Q. He filed for bankruptcy in [DELETED], in a court in the [DELETED] area?
A. Yeah, Chapter 13.
Q. Who was his lawyer then?
A. He didn't have one.
Q. Filed on his own?
A. Yeah.
Q. Where was he working at that time?
A. I don't remember that either. It's been a long time. It's been very many years back.
Q. Did Mr. Williams ever file any claims for Workers'

Compensation?
A. No.
Q. Did Mr. Williams ever file any formal grievance at work?
A. No.
Q. Whose idea was it to file this lawsuit?
MR. GAYLORD: Objection.
Don't answer that.
MR. RANDLES: What?
On what basis are you instructing her not to answer?

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MR. GAYLORD: Attorney-client privilege.

MR. RANDLES: I didn't ask her what any attorney asked her. I asked her whose idea it was to file this lawsuit.

MR. GAYLORD: To the extent that the answer depends on advice that she received from lawyers, she's not answering it.

MR. RANDLES: I'm not asking about advice.

Q. BY MR. RANDLES: Whose idea was it to file this lawsuit?

MR. GAYLORD: Don't answer.

MR. RANDLES: You know I'm entitled to an answer to that question.

MR. GAYLORD: I don't know any such thing.

Q. BY MR. RANDLES: Setting aside any conversations you had with your lawyers, with whom have you discussed filing this lawsuit?

A. No one.

Q. No one?

A. That's right; no one.

Q. You have not discussed filing this lawsuit with your daughter Joann?

A. No.

Q. Has she discussed it with you?

A. No.

Q. Did you know a lawsuit was being planned before it was filed?

A. Yes.

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MR. GAYLORD: Wait a minute. Wait a minute.

If your knowledge of the subject was based on any discussions with a lawyer, don't answer the question.

MR. RANDLES: If her knowledge is based on discussions with Counsel, the answer is, "I only had discussions with Counsel about that." That's the answer.

MR. GAYLORD: That might be your answer, Counsel.

MR. RANDLES: That is the appropriate answer.

You can't say "no one," if there's counsel. When you assert a privilege you can't say "no one."

I'm entitled to a truthful answer. And a truthful answer would be an assertion of the privilege.

MR. GAYLORD: Let me make this clear: She is not going to talk to you about anything that is based on a discussion with an attorney.

MR. RANDLES: I am not asking for that.

MR. GAYLORD: You are.

MR. RANDLES: As a matter of fact I will preface my questions, but if my question transgresses into that then the appropriate response is assertion of privilege.

MR. GAYLORD: You are asking a lay person to make a distinction about when and how to assert a

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legal privilege. I'm instructing her, as her lawyer, that she is not to answer to the extent that the answer will be based on any conversations with any lawyers.

MR. RANDLES: I agree with that. That's not what you instructed her.

Let me try again. Let's try again.

(Mr. Gaylord and Mr. Thomas conferring.)

MR. GAYLORD: Try your question again.

Q. BY MR. RANDLES: Other than lawyers -- first of all, let me back up.

Are you represented by counsel here today?

A. Yes.

Q. Who are your lawyers?

A. Mr. Gaylord and Mr. Thomas.

Q. Do you have a written agreement with them?

MR. GAYLORD: Don't talk to him about that.

MR. RANDLES: I'm entitled to know the existence of a fee arrangement.

MR. GAYLORD: Counsel, that is a ridiculous statement. If you're going to pursue that line of questioning this deposition is over.

MR. RANDLES: I'm entitled to ask about the relationship she has with --

MR. GAYLORD: You're not entitled to a Goddamned thing about her relationship with Counsel.

MR. RANDLES: I'm entitled to know when the relationship began.

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MR. GAYLORD: No.

MR. RANDLES: If you'd -- let me make the record here so we're clear with the judge. I would like to ask the question -- and you can tell me if you are going to direct your witness not to answer. That's fine. We'll take it to the judge.

I would like to know when the relationship began.

Will you direct her not to answer that?

MR. GAYLORD: Yes.

MR. RANDLES: I would like to know if she has a written fee agreement.

Will you direct her not to answer that?

MR. GAYLORD: Absolutely.

MR. RANDLES: I would like to know when the agreement was entered.

Are you going to direct her not to answer that?

MR. GAYLORD: Absolutely.

MR. RANDLES: That's fine. Let's move on.

MR. RANDLES: As I said, moving on in no way waives the fact that I definitely disagree with you, and we may have to return to answer these questions.

Q. BY MR. RANDLES: Let me preface this question: I don't want to know anything that you said to your lawyers.

Other than your lawyers, have you discussed the filing of this lawsuit with any other person?

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A. It all depends on what you mean? Filing it with --
Q. Have you discussed this lawsuit at all with any person other than your daughter?
A. Yeah, my daughter and I.

Q. Anyone else?
A. The rest of my children.
Q. Have you discussed this lawsuit with all your children?
A. Yes.
Q. Have you discussed it with anyone else?
A. No.
Q. When did you first discuss --
MR. GAYLORD: Excuse me.
MR. RANDLES: Yes.
MR. GAYLORD: I'm going to take a break right now while there is no question pending. I'm going to do it because I want to make sure that you are getting accurate information.
MR. RANDLES: I'll take a break anytime you want to ask.
MR. GAYLORD: I'm not asking you to comment on that. I'm just telling you that that's what we are going to do.
(Recess.)
MR. GAYLORD: I'm going to suggest -- obviously you'll ask whatever questions you want, but I'd suggest you ask one more time the question about when or who she has discussed, excluding lawyers,

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the subject of filing a lawsuit with. I think she

was confused about some aspect of it.

MR. RANDLES: Thank you, Counselor.

Q. BY MR. RANDLES: Excluding your lawyers, who have you discussed the filing of this lawsuit with?

A. I discussed it with my husband and my daughter Joann. And after it had been filed, I discussed -- I didn't discuss it, but I informed my other children that it was being done.

Q. The other children only after it had been filed; is that correct?

A. Um-hum.

Q. What was the first discussion you had with Mr. Williams about filing this lawsuit?

A. After the doctors diagnosed him with having this cancer and it was caused by cigarette smoke.

And he was very angry at this time, because he was disillusioned about tobacco being -- going to give him cancer. He did not believe it because he believed what the tobacco company had been saying, that it was not going to give him cancer.

Q. When did you first discuss it with him?

A. After his diagnosis.

Q. How shortly thereafter?

A. Within a month.

Q. When was the first discussion you had with your

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daughter Joann about filing a lawsuit?

MR. GAYLORD: Excuse me. That is still conditioned on outside of any conversation with a lawyer?

Q. BY MR. RANDLES: Let me be crystal clear, because I am afraid I miscommunicated. I want to clear it up.

I don't want to know any communications you had with your lawyer. In fact, all my questions are premised with that. No question I ask you today will call for communication with your lawyer. If a question does, and your lawyer doesn't stop you first, say, "The only discussion I had about that was with my lawyer," or something to that effect. That's good enough.

Okay?

A. Okay.

Q. Excluding any discussions with your lawyers, when was the first discussion you had with your daughter about filing a lawsuit?

A. I'll give you the details about how it came about.

Q. Okay.

A. My daughter learns her father has cancer, so she gives up her home and comes to live with me and her father because she knew she was going to have to help take care of her father. And during this time

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her father was talking about how he should sue because of his illness. And so this is the time that we talked to Joann, because she was there.

Q. Was your husband the first person to mention --

A. Yeah.

Q. -- the idea of suing the tobacco company?

A. Yes.

Q. That was within a month of his diagnosis?

A. Within that time. It's confusing to say right today. Because at this time he was very, very upset to learn that he had cancer.

Q. Did you discuss -- did your husband first discuss the idea of filing a lawsuit with you or with your daughter?

A. Me and my daughter. He and myself and my daughter.

Q. And what was your reaction?

A. I was in agreement.

Q. What was your daughter's reaction?

A. The same.

Q. So if your husband was diagnosed in October of 1996, you would have discussed first filing a lawsuit sometime in late 1996; is that right?

A. No. It wasn't in '96.

Q. Okay. When was it?

A. It was in '97.

Q. Do you know what part of the year?

A. The part of the year that he was diagnosed with it,

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or the part of the year that he died from it, or what do you mean?

Q. I'm asking, what part of the year did you discuss filing the lawsuit for the first time?

A. I'll tell you this: He died within three months from the time that he was diagnosed with it. During that period of time we discussed it, having a lawsuit. And that's as close to the date that I can give you.

Q. What do you hope to accomplish with this lawsuit?

A. Compensation.

Q. Anything else?

MR. GAYLORD: I'm going to instruct you not to answer with respect to anything you discussed with a lawyer, anything that has been advised to you by a lawyer, anything at all to do with a lawyer.

Q. BY MR. RANDLES: I'm just asking for your personal view.

A. Compensation for the loss of my husband. For the loss -- he was my -- he was everything to me. He was my companion. He was my provider. He was my best friend. And he was my children's father, and my grandchildren's grandfather, and he just died

from useless tobacco. Stupid cigarettes.

(Witness crying.)

MR. RANDLES: Let's take a break now.

(Recess.)

THE WITNESS: I'm sorry. But I can finish

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answering the question now.

Q. BY MR. RANDLES: I think you did. Let's move on.

A. I didn't finish, because I broke down in tears. I didn't finish telling you all what I hope to accomplish by this. I didn't tell you all.

Q. All right.

A. Well, I'd like to tell you that I want to accomplish the same thing that my husband wanted to accomplish when he filed the lawsuit, was to -- we are talking about filing the lawsuit. That he wanted no other people to die from tobacco, because this is what he was very upset about.

All the years that he had lived and he believed that tobacco wasn't harmful, and then all of a sudden he learns that it is. And so he knew that things that he had read and heard before was true, that it was causing people to die with cancer.

And he wanted them to know -- to let the tobacco company know, to let the people know that this is something that does happen to people, and he

wanted to prevent other people from having it if he had a little bit to say about it.

Q. Do you believe cigarettes ought to be banned?

A. Yes.

Q. Do you think the sale of cigarettes ought to be made illegal?

A. Yeah, I do.

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Q. Is that one of the goals of this lawsuit?
A. It's possible, yes, if it would help.
Q. What symptoms led Mr. Williams to consult a lawyer shortly before his diagnosis of cancer?
MR. FRASER: You said "lawyer." You meant "doctor."
MR. RANDLES: I meant doctor. We've had a lot of talk about lawyers.
MR. GAYLORD: I was trying to think of precisely the way to respond to that. It was coming to me.
(A discussion was held off the record.)
Q. BY MR. RANDLES: What symptoms led Mr. Williams to consult a doctor during the illness that was ultimately diagnosed as cancer?
A. Bronchitis.
Q. What symptoms was he having with the bronchitis?
A. Coughing up blood. And a lot of yucky, yucky, yucky

stuff. And can't sleep at night. He was wheezing. He was wheezing like I don't know what. I couldn't sleep. He would wake me up. It was the awfulest thing that anybody would want to see, and how he suffered through that.
Q. Did he have any other symptoms other than the problems breathing and coughing?
MR. GAYLORD: Other than what she just listed?
MR. RANDLES: Yes.
THE WITNESS: Just what I said.

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Q. BY MR. RANDLES: Any other parts of his body or anything like that?
A. No, he didn't have anything that he knew of at the time before he got diagnosed with having cancer. After they diagnosed him having cancer in the lungs, they also had a lump up here on his neck here, and that might have been from the lungs, you know, having the cancer from the lungs.

But other than that, he didn't have any symptoms, but he had this coughing up blood and all that stuff. It was just terrible black, yucky stuff.

Q. Did anyone ever test the lump he had on his neck?
A. No. That came -- they knew that after they had diagnosed him with having cancer, they noticed that

was part of it.
Q. I saw some record that noted "clubbing of his extremities."

Did any doctor mention that or explain what that meant?

A. I've never heard that before.
Q. Which doctor told you that Mr. Williams had cancer?
A. Dr. Turner, he was -- well, Dr. Segal told him that he had made -- to be confirmed, his doctor sent him to Dr. Turner, who was a specialist.
Q. Did you go with Mr. Williams to all of the doctors that he visited --

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A. I did.
Q. -- before and during his diagnosis?
Did you go with him to his doctors as a regular practice before this, when he had other illnesses?
A. No. I only went with him when this last thing started, when he had the cancer. I went with him because I knew that he had something more than just bronchitis. And when he'd go -- he went to the doctor, he'd just tell him he had a cough and, you know, it hurts his chest and everything when he coughs.
And he didn't stress it as much, and so I went to the doctor and told the doctor to look into it

deeper, because he was just prescribing medication for bronchitis and it's not helping any, and he was getting worse. And so then that's when the doctor started looking for and found that he did have cancer.
Q. Which doctor did you say it was that told you and Mr. Williams that he had lung cancer first?
A. Dr. Segal.
Q. Did Dr. Segal, during that conversation, suggest a cause of the lung cancer?
A. No, Dr. Segal did not. But when I went to Dr. Turner, he immediately -- after he looked at the x-ray, he immediately told him what it was from, what caused his lung cancer.
Q. And what did he say?

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A. He said it was from tobacco.
Q. Did any of the other doctors express an opinion as to the cause of his lung cancer?
A. Yes. After -- they just -- they didn't just talk about it. They only talked about what kind of cancer it was. And then would each say, "This is the type of cancer that tobacco causes."
Q. Did any of the doctors run any tests to see if the cancer had metastasized to any other parts of his body?

A. Yes, they did.
Q. Were they satisfied -- did they tell you the results of those tests?
A. Yes. They didn't find any in other parts of his body.
Q. And is it correct that he went through chemotherapy and radiation therapy for his cancer?
A. Yes.
Q. Did Mr. Williams have health care insurance?
A. Yes.
Q. Who did he have his insurance through?
A. First Choice 65. It's a branch of the Blue Cross Insurance Company.
Q. After he retired from the school system, who paid his premiums?
A. He did.
Q. Did he always pay his premiums, or did the school

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pay for them when he was employed there?
A. He paid part of them and the school paid part.
Q. Can you name the doctors that you remember who treated Mr. Williams from the time leading up to his diagnosis through his death?
A. Dr. Segal.
Q. Anyone else?
A. Dr. Segal, and Dr. Kern was his primary doctor.

Q. Do you remember the names of any other doctors?
A. No. He had other ones, but I don't remember their names.
Q. Was there any talk in the family about having an autopsy performed on Mr. Williams?
MR. GAYLORD: Let me, again, instruct you not to answer with respect to anything relating to conversations with lawyers.
THE WITNESS: No, we didn't talk about it.
Q. BY MR. RANDLES: Did anyone ever suggest to anyone at the hospital that they wanted an autopsy performed?
MR. GAYLORD: Same instruction.
MR. RANDLES: Well, I don't think that question would do it.
Q. BY MR. RANDLES: Did anyone ever --
MR. GAYLORD: "Anyone" is a broad subject.
MR. RANDLES: All right.
Q. BY MR. RANDLES: Do you know whether anyone requested an autopsy -- of the hospital personnel?

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MR. GAYLORD: Again, except for any discussion that you're aware of that has anything to do with any lawyers.

THE WITNESS: No. No one discussed it. Because they knew why he died and what caused his death, so there was no use in having an autopsy.

(Mr. Fraser and Mr. Randles conferring.)

Q. BY MR. RANDLES: Do you have any idea why a nurse's note dated March 17th of '97 states, "Wants autopsy" underneath -- in your husband's file?

A. No. My husband didn't die in a hospital, so a nurse couldn't possibly write that. My husband died at home and was taken to the funeral home. And that's the last place where his body was.

Q. Did you ever talk to anyone, excluding your lawyers, about whether or not to have an autopsy performed on your husband?

A. Absolutely not.

Q. Who attended Mr. Williams' funeral?

A. His family, and one of his -- the son of one of his -- the person that he did the janitorial work for, one of the Mr. Bakers.

Q. Do you know what that fellow's name was that attended the funeral that you just referred to?

A. No. I don't know his first name.

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Q. Other than you and your children, what other family members attended the funeral?
A. There was some nieces, and that's about it. Nieces

and nephews. That's it.
Q. Do you know any of their names?
A. Yeah. I know all of their names.
Q. Would you provide me with those names, please.
A. Patricia -- I don't know her last name now. Teresa -- I can't remember. His sisters were there. His two sisters were there.
Q. Anyone else?
A. That's all I can remember.
Q. Do you know Teresa's last name?
A. No, I don't.
Q. Where do Patricia and Teresa live?
A. They were his nieces. They were my nieces.
Q. Your nieces.
Whose daughters are they?
A. Patricia is Marvin's daughter, and Teresa is Francis' daughter.
Q. Earlier we talked about filing. Now I just want to talk about the case in general.
Other than your lawyers, who have you talked to about this case?
A. No one.
Q. Well, have you talked to your daughter Joann?
A. That's the only one.
Q. You mentioned that you talked to your other

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children.

A. I didn't talk to them. I told them about it. There was no discussion.

Q. Did they say anything about it?

A. They agreed that it was something good to do.

Q. Any of them have a different view?

A. No.

Q. Have you spoken with anyone else about the case?

A. Only -- no. Only you -- your people went to my brothers in Texas, and you went to a sister here. They let me know that someone was coming around asking them questions. And at that time that's the only time I said, "Oh, yeah. Okay. That's what's going on."

Q. What else did you say to them about it?

A. That was it.

Q. Did they ask you if it was okay to speak to people about the case?

A. No, they didn't ask me. They just told me that you had already came and spoken to them about it. They didn't want to know anything about it. They wanted to know why were you asking them questions, and they said that you had told them why, and I told them that was what was going on.

Q. Did you make any suggestions to them about whether

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or not to talk to anyone about the case?
A. Nope.
Q. Did your husband ever stop smoking?
A. No.
MR. RANDLES: I think we are about done.
(A discussion was held off the record.)
(Recess.)
MR. RANDLES: I have no further questions at this time. I believe Mr. Dumas has one or two items.
MR. DUMAS: I don't have any questions of this witness. I just want to put on the record --
(Mr. Randles and Mr. Fraser conferring.)
MR. RANDLES: I'm sorry. You do want me to go ahead and ask that. I do have one more.
(A discussion was held off the record.)
Q. BY MR. RANDLES: What was the name of the funeral home where your husband's service was held?
A. Little Chapel Of The Chimes.
MR. RANDLES: Okay. Those are all the questions I have.
Mr. Dumas wants to put something on the record.
MR. DUMAS: I was just going to put on the record that we still have the outstanding request

for production of documents and that you indicated

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will be provided to us. And we reserve the right to keep the deposition open pending production of those documents.

(A discussion was held off the record.)

MR. GAYLORD: Having no more to say on the subject is not to be interpreted as acquiescing on what you said.

MR. DUMAS: I understand that.

Off the record.

(A discussion was held off the record.)

(Deposition concluded at 2:48 p.m.)

* * *

C E R T I F I C A T E

I, Pamella M. Iman, a Court Reporter and Notary Public, do hereby certify that MAYOLA WILLIAMS

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personally appeared before me at the time and place mentioned in the caption herein; that the witness was by me first duly sworn on oath and examined upon oral interrogatories propounded by counsel; that said examination, together with the testimony of said witness, was taken down by me in stenotype and thereafter reduced to a computer-aided transcript; and that the foregoing transcript of the proceedings, pages 1 to 128, both inclusive, constitutes a full, true, and accurate record of said examination of and testimony given by said witness, and of all other proceedings had during the taking of said deposition, and of the whole thereof, to the best of my ability.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 24th day of April, 1998.

Pamella M. Iman

My commission expires:

March 3, 2002

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